

REMARKS

This paper is responsive to the Office Action dated February 14, 2006 in which claims 1-26 are rejected. Applicants respectfully traverse the rejections as discussed below. Claims 1, 16, and 25 have been amended, and claims 2-15, 17-24, and 26 are original. Claims 1-26 are pending in this application. No new matter has been added.

Changes to the Claims:

Claim 1 has been amended to more clearly define the bounds of the present invention, and to correct minor errors. Claims 16 and 25 have been edited to correct minor errors and for clarity. No new matter has been added.

Rejection under 35 U.S.C. § 101:

Claim 1 has been amended to recite “wherein at least one telephone call is routed to a destination based on said indexing technique”. Accordingly, Applicant submits that claim 1 is directed to statutory subject matter under 35 U.S.C. § 101. The Examiner did not specify any deficiency with regard to independent claim 25 in connection with 35 U.S.C. § 101. And Applicant respectfully submits that claim 25 is also directed to statutory subject matter under 35 U.S.C. § 101. Accordingly, Reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 102(e):

Claims 1-26 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yau (U.S. Patent No. 6,741,688, hereafter Yau). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. Applicant contends that the prior art does not describe all the limitations of the claims and therefore respectfully traverses the outstanding rejection.

Claim 1 defines the limitation “wherein at least one said instruction includes specifying one or more records and also moving on to check a next level”. (Emphasis added). Yau does not describe this limitation. Yau provides various examples of the operation of its system. In one such example (discussed in Yau from col. 4, line 60 to col. 5, line 4) the digits of address targets are compared with those of phone call numbers for two possible numbers: 1-976-123-4567 and 1-976-123-4568. The

outcome of the comparison determines how a phone call is screened. By implication, the entire sequence of digits of a phone number is compared with the respective digits of one or more address targets and a screening decision made based on the result. In another example, a call is processed (which process may include rerouting) when a portion of a phone call number matches a sequence of digits such as “1-800” or “1-900”. See col. 4, lines 36-43. The examples have in common that entire sequences of digits are compared, and a processing decision, such as a routing instruction, or “record,” is provided once all of the comparisons have concluded.

Thus, in the above examples the “instruction” for each digit consists of either proceeding to a next digit-to-digit comparison or concluding a sequence of comparisons and, based on the result of the sequence of comparisons, specifying a processing decision for the phone call. However, Yau does not disclose any instruction for a digit that includes both specifying one or more records and also moving on to check a next level or digit. Thus, Yau does not describe all the limitations of claim 1.

Claim 1 is therefore patentable over Yau under 35 U.S.C. § 102(e). Claims 2-24 depend on claim 1, inherit all the limitations thereof, and are therefore patentable over Yau for the same reasons as claim 1. Moreover, claims 2-24 recite further novel, nonobvious limitations not described in Yau. Thus, claims 1-24 are patentable over Yau under 35 U.S.C. § 102(e).

Claim 25 defines the limitation “if said instruction found at said last checked level specifies one or more records, returning said specified records to said data string query, otherwise backing up one level at a time until a level with records to be returned is found; and returning all routing records encountered in all levels in either an order encountered or in reverse order”. (Emphasis added). Yau does not describe this limitation. The section of Yau relied upon for the rejection of claim 16 (col. 3, line 57 to col. 4, line 36) involves conducting a comparison between a defined number of digits in a received telephone number and a set of digits of an address target and making a call processing decision based on the outcome of the sequence of comparisons.

Thus, if a comparison of respective digits of the received telephone number and the address target is a match, Yau would have to continue to compare succeeding digits to determine whether the whole sequence matches. Only after a complete sequence of successful digit matches does Yau provide a “record” (such as a routing decision) for the pertinent phone call, such as a “1-800” or “1-900” call. Yau does not disclose specifying a record based on the value, or comparison outcome,

of any of the intermediate bits in a sequence of bits to be compared and does not describe “backing up one level at a time until a level with records to be returned is found;” as recited in claim 25. Indeed, even if the method of Yau were to back up through the digits subjected to a comparison, there would be no digits for which records are available to be found and returned. Accordingly, Yau does not describe all the limitations of claim 25 and does not anticipate same.

Claim 25 is therefore patentable over Yau. Claim 26 depends from claim 25, inherits all the limitations thereof, and is therefore patentable over the prior art for the same reasons as claim 25. Moreover, claim 26 recites further novel, nonobvious limitations not described in the prior art. Accordingly, claims 1-26 are patentable over Yau under 35 U.S.C. § 102(e).

Based on the foregoing, all pending claims are allowable.


Conclusion:

Based on the above amendments and remarks, Applicants contend that all claims are allowable and respectfully request that the instant application be passed to issue. The Examiner is invited to call the below-listed attorney to resolve any outstanding matters. Payment for a one-month extension of time is included herewith. The Commissioner is hereby authorized to deduct any fees believed due from, or credit any overpayment to, our Deposit Account No. 11-0223.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2006.

Dated June 14, 2006 Signed  Print Name Ute H. Wojtkowski